

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 3410-29

MESCHIA

C# M#

Serial No. 09/924,491

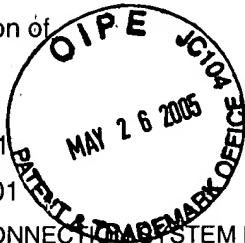
TC/A.U.

2681

Filed: August 9, 2001

Examiner: S.Q. Aminzay

Date: May 26, 2005

Title: NETWORK CONNECTION SYSTEM FOR MACHINE TOOLS, PARTICULARLY
INJECTION PRESSES FOR PLASTICS2681
JFACommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 15 minus highest number
previously paid for 20 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 1 minus highest number
previously paid for 3 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$450.00 (1252)/\$225.00 (2252)
Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$ 60.00

Terminal disclaimer enclosed, add \$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$

Assignment Recording Fee \$40.00 (8021) \$

Other: \$

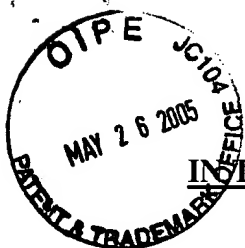
TOTAL FEE ENCLOSED \$ 60.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
By Atty: Frank P. Presta, Reg. No. 19,828

Signature: Frank P. Presta



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

MESCHIA

Atty. Ref.: 3410-29; Confirmation No. 2557

Appl. No. 09/924,491

TC/A.U. 2681

Filed: August 9, 2001

Examiner: S.Q. Aminzay

For: NETWORK CONNECTION SYSTEM FOR MACHINE TOOLS, PARTICULARLY
INJECTION PRESSES FOR PLASTICS

* * * * *

May 26, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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01 FC:2251

60.00 DP

RESPONSE

This is in response to the Office Action, dated January 26, 2005, for which petition is hereby made for a one-month extension of time.

Claims 1-15 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Harrison, U.S. Publication No. 2003/0176200, in view of Welty, U.S. Patent No. 5,109,222.

With respect to the Harrison reference, there is submitted herewith a Second Declaration Under 37 C.F.R. 1.131 (signed fax copy and unsigned copy for clarity) and the accompanying exhibits at Tabs 1-4. The Second Declaration and accompanying exhibits establish the actual reduction to practice and the invention of the subject matter of Claims 1-15 as of dates that are prior to the effective date of June 13, 2001 (International filing date) of the Harrison reference. Accordingly, this reference should no longer be an obstacle to the allowance of Claims 1-15.

The disclosure of the secondary reference to Welty fails to render obvious the novel recitations in Claims 1-15. Welty discloses a so-called "intelligent house" (i.e., a house where electrically operated equipment of the type normally found in houses is wire-connected to a control logic unit) where the control logic unit is controlled by the user through a hand-held remote control device and a plurality of sensors, typically located in each room of the house, which are coupled to the hand-held control device through infrared connecting means. The system of Welty is significantly different from the network connection system for machine tools wherein the network is a wireless network and at least some of the machine tools comprise a device for connection to the wireless network through radio communication in frequency bands available for radio communications, as recited in Claims 1-15. Accordingly, Claims 1-15 should be allowable over the teachings of Welty.

The Examiner has stated at Paragraph 2. of the Office Action that the foreign priority claim filed on September 28, 2004, was not entered because it was not filed during the time period set forth in 37 C.F.R. 1.55(a)(1). It is noted that there is no foreign priority claim in the present application for the reason that the present application was filed almost 18 months after the filing date of the corresponding Italian application.

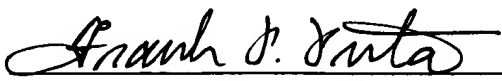
In Paragraph 3. of the Office Action, the Examiner has stated that the Declaration Under 37 C.F.R. 1.131 filed with the Amendment on September 28, 2004, is ineffective to overcome the Harrison reference. This Declaration was based on the corresponding Italian Patent Application No MI2000A000322, filed on February 22, 2000. The Second Declaration Under 37 C.F.R. 1.131 submitted herewith is based on the actual reduction to practice and invention of the subject matter of Claims 1-15 prior to the effective date of the Harrison reference and thus should be sufficient to overcome the Harrison reference.

MESCHIA
Appl. No. 09/924,491
May 26, 2005

In view of the submission of the Second Declaration and the accompanying exhibits, and the remarks herein, it is submitted that all of the claims in the present application should now be allowable to Applicant, and formal allowance thereof is earnestly solicited.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 
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